

**GOVERNMENT OF TELANGANA
ABSTRACT**

A.P. Bhoodan & Gramdhan Act, 1965 – Dissolution of A.P. Bhoodan Yagna Board for the State of Telangana – Orders – Issued.

REVENUE (ASSN.I) DEPARTMENT

G.O.Ms.No:59

Dated:13 -5-2015.
Read the following:

1. G.O Ms.No.687, Revenue (Assn.I) Dept., dt.14-12-2012.
2. The Andhra Pradesh Reorganization Act, 2014 (No. 6 of 2014)
3. Letter dated 24-06-2014 of the President, Sarva Seva Sangh, Sevagram, Wardha, Maharashtra.
4. G.O.Ms.No.11, Revenue (Assn.I) Dept, dated 05.07.2014.
5. Orders of High Court at Hyderabad dated 29.04.2015 in W.A.(SR)Nos.30488 of 2015 and 46879 of 2015.
6. Show cause Notice Lr. No: 8718/Assn.I(3)/2015-1, Dt. 05-05-2015
7. Explanation dated:07-05-2015 received from Sri G.Rajender Reddy, Chairman, A.P Bhoodan Yagna Board, Gandhibhawan, Hyderabad.
8. Explanation dated:11-05-2015 received from Sri K.V.Subba Rao, Sri G.Samuel and Prof. V.Subramaniam, members, A.P Bhoodan Yagna Board, Gandhi Bhavan, Hyderabad.

O R D E R:

The following Notification shall be published in the extraordinary issue of the Gazette of Telangana State dated:13.05.2015.

NOTIFICATION

The A.P. Bhoodan Yagna Board has to be constituted u/s 3 & 4 of A.P. Bhoodan and Gramdhan Act 1965 in consultation with Sri Acharya Vinobha Bhave or a person nominated by him.

2. Sri Acharya Vinobha Bhave died long back and the power of nomination was entrusted to Sarva Seva Sangh as nominee of Sri Acharya Vinobha Bhave for constitution of Bhoodan Yagna Board to the respective States. In fact, there is no consultation with Sarva Seva Sangh by the then Government of A.P. for constitution of the present Board presided by Chairman Sri G.Rajender Reddy, Vice-Chairman and other Members. Thus constitution of Board is not in conformity with the provisions of the Act.

3. The Board records reveal that Sri G.Rajender Reddy, had produced a letter dated 25.07.2012, wherein the present Chairman, Vice-Chairman and Members are nominated by one Dr.Veena Behan, President of Mahila Chetna Kendra (Regd), Delhi. On the basis of the said letter, the present Chairman, Vice-Chairman and other Members are appointed to the A.P. Bhoodan Yagna Board vide G.O.Ms.No. 687, Revenue (Assn.I) Department, Government of Andhra Pradesh, Dated:14.12.2012.

4. It is stated that Mahila Chetna Kendra is not a Sarva Seva Sangh. Subsequently, Dr.Veena Behan informed the State Government by letter dated 21.03.2014 that she has not acted/assigned/represented herself as nominee of late Sri Acharya Vinobha Bhave in her lifetime for any kind of function to act whatsoever for nominating the present Board Chairman Sri G.Rajender Reddy, Vice-Chairman and other Members.

5. Sri G.Rajender Reddy, Chairman, Vice-Chairman and other Members have produced a fabricated letter and by playing fraud got appointment orders. In view of the above, it is clear that, the constitution of the existing Board is not in accordance with the provisions of the Act and the same is void and illegal.

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6. After constitution of the existing Board, it alienated the huge valuable lands to the ineligible persons and institutions, contrary to the provisions of the Act, which caused great loss to the Board by defeating the object of the Board and the matter is under investigation for taking appropriate civil and criminal action against the existing Board.

7. Pursuant to bifurcation of State of Andhra Pradesh in terms of the provisions of A.P. State Reorganization Act, 2014, the State of Telangana has adapted the A.P. Bhoojan and Gramdhan Act, 1965 w.e.f. 2.6.2014 with modification by appointing Authority to look after the affairs of the Board to cater the needs of the State of Telangana vide reference 4th read above.

8. It is stated that the said G.O. was questioned by the Chairman, Vice-Chairman and other Members before the Hon'ble High Court. The Division Bench of the Hon'ble High Court vide order dated 29.04.2015 held that the present Board has to be dissolved in terms of the Act and the Government of Telangana may take necessary action for constituting the Board.

9. In obedience to the orders passed by the Hon'ble High Court and in exercise of powers conferred under the Act, the Government of Telangana, in the reference 6th read above, on the grounds as stated above, issued show-cause notices to the Chairman and members of A.P Bhoojan Yagna Board to submit their explanation, if any, as to why action should not be taken to dissolve the Andhra Pradesh Bhoojan Yagna Board for the state of Telangana. In exercise of powers conferred to the Government under the provisions of the Act.

10. In the reference 7th read above, Sri G.Rajender Reddy, Chairman A.P Bhoojan Yagna Board, Gandhi Bhavan, Hyderabad, submitted his explanation and contended that though the Section 9 of A.P Bhoojan & Gramdhan Act, 1965 enables the Government to dissolve the board on the grounds contained in the clauses (a), (b), and (c) of sub-section (1) of Section 9 of the Act, the show-cause notice is not fitting in to any of the said grounds and hence it must held to be without jurisdiction and ultra-vires the provisions of the Act. He denied that he produced a letter dated: 27.5.2012 from Dr. Veena Behan, President of Mahila Chetna Kendra. He also denied that he had alienated huge valuable lands to ineligible persons and institutions contradictory to provisions under the Act. The show-cause notice is invalid being contrary to section 9(2) of the Act since it has not enumerated the grounds on which the Government proposes to dissolve the said Board. He requested the Government to drop further action in the matter and allow him to continue in office in the terms of G.O.Ms.No: 687, Revenue (Assn.I) Department, Government of A.P., Dated: 14.12.2012.

11. In the reference 8th read above, Sri K.V.Subba Rao, Sri G.Samuel and Prof. V.Subramaniam, members, A.P Bhoojan Yagna Board, Gandhi Bhavan, Hyderabad submitted their explanations and contended that though the Section 9 of A.P Bhoojan & Gramdhan Act, 1965 enables the Government to dissolve the board on the grounds contained in the clauses (a), (b), and (c) of sub-section (1) of Section 9 of the Act, the show-cause notice is not fitting in to any of the said grounds and hence it must held to be without jurisdiction and ultra-vires the provisions of the Act. Further Acharya Vinobha bhave did not delegate Sarva Seva Sangh to act on his behalf and the Government has been following nomination of Veena Behan. They denied that the board has alienated huge valuable lands to ineligible persons and institutions contradictory to provisions under the Act. The existing board cannot be dissolved for constitution of the new board and in the circumstances explained above the present board shall continue to remain in force till the full tenure of office.

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12. Government considered the above explanations in the light of material and records available with regard to the allegations levelled against the present Bhoodan board and also in terms of the provisions of the A.P Bhoojan & Gramdhan Act, 1965 and A.P Reorganization Act, 2014 and found that the Chairman and members failed to explain valid grounds for not dissolving the present Bhoojan board and the explanations are not satisfactory. Moreover they optioned to make counter allegations rather than explaining their eligibility to continue office and their innocence regarding the allegations of allotment of valuable lands to ineligible persons and institutions. They also failed to mention the CBCID investigation being held in to the allegations against them. After verifying the facts of the case, Government are satisfied that circumstances have arisen in which the Board is unable to discharge duties or to perform the functions assigned to it by the A.P Bhoojan & Gramdan Act, 1965 and the same deserves to be dissolved.

13. As stated above, Bhoojan Yagna Board has to be constituted in consultation with nominee of Sri Acharya Vinobha Bhave ie., Sarva Seva Sangh, but in the present case Sarva Seva Sangh is not consulted. The present Board is constituted on alleged consultation with one Dr. Veena Behan, President of MahilaChetna Kendra, Delhi who is said to have stated that she is close associate to Sri Acharya Vinobha Bhave but she did not claim that she was nominee of Acharya Vinobha Bhave in the alleged letter itself. Moreover, she subsequently stated that she has not acted/ assigned/ represented her self as nominee of late Acharya Vinobha Bhave in her life for any kind of function or act whatsoever. Thus, by playing a fraud by stating that they are nominated by nominee of late Sri Acharya Vinobha Bhave, the present Board got appointed. Hence, the appointment of present Board is vitiated and the same is null and void.

14. Pursuant to adaptation of the Act in the State of Telangana, the State of Telangana is at liberty to constitute its own Bhoojan Yagna Board. Further, the notification issued appointing the present Board is an administrative order benefiting the individuals but not public at large, hence the same is not a law in force as on the date of formation of State of Telangana, as such appointment of present Board is not binding on the State of Telangana.

15. Therefore, the Government hereby order to dissolve the A.P Bhoojan Yagna Board for the State of Telangana under the powers conferred in sub-section (1) of Section 9 of A.P Bhoojan & Gramdhan Act, 1965 with effect from 13.05.2015.

16. The Chief Commissioner of Land Administration, Telangana / The Secretary, A.P Bhoojan Yagna Board shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**B.R.MEENA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner, Printing & Stationary, Chanchalguda, Hyd.

(with a request to supply 100 copies of the Notification)

The Principal Secretary to Government, Revenue Department, Telangana.

The Special CS & CCLA., Telangana, Hyderabad.

The Secretary, A.P Bhoojan Yagna Board, Nampally, Hyd.

All District Collectors in the State.

Copy to: The President, Sarva Seva Sangh, Mahadevbhai Bhavan
Sewagram, Wardha- 442101. (Maharastra)

The P.S to Chief Secretary.

The P.S to Principal Secretary to Government.

The P.S to Additional Secretary to CM.

// FORWARDED BY ORDER //

SECTION OFFICER

